

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

**Case No. 10-C-923
(USCA No. 10-3480)**

**WILLIAM STAPLES also known as
ROBIN BOOKER,**

Movant-Appellant.

DECISION AND ORDER

On December 21, 2010, Movant William Staples (“Staples”) filed with this Court a document, with the heading “In the United States Court of Appeals for the Seventh Circuit,” titled “supplement to motion for a certificate of appealability.” The document was docketed by the Clerk of Court as a request for a certificate of appealability.

The document’s caption, title, and opening line suggest that the document supplements an earlier filing requesting a certificate of appealability, although none was filed with this Court. However, reference to the court of appeals’ docket reveals that Staples has a pending motion for a certificate of appealability with that court that has been referred to the staff attorney – noted on the docket as “S/A.” In light of the foregoing, the Clerk of Court is directed to transfer the supplement to the court of appeals for consideration and Staples’s request for a certificate of appealability pending before this Court is denied as moot.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY
ORDERED THAT:**

The Clerk of Court **TRANSFER** Staples's supplement to motion for a certificate of appealability to the Court of Appeals for the Seventh Circuit for consideration and the request for a certificate of appealability pending with this Court is **DENIED** as moot.

Dated at Milwaukee, Wisconsin this 31st day of December, 2010..

BY THE COURT

s/ Rudolph T. Randa
Hon. Rudolph T. Randa
U.S. District Judge